

REMARKS

Claims 1-72 are pending, each of these claims being rejected based on a defective Reissue Declaration.

In the outstanding Office Action, the reissue application was deemed to be defective under 37 CFR § 1.175. In particular, the Office Action required that the declaration refer to the errors being corrected by the claims as currently amended.

In reply, the Applicants file herewith a Reissue Declaration by the Assignee, which in addition to identifying the original patent as being wholly or partially inoperative or invalid by reason of the patentee claiming more or less than he had a right to claim, specific errors are identified. In particular, U.S. Letters Patent 5,793,779 is indicated in the Reissue Declaration as failing to include a combination of features including a diameter of less than 1.40 mm, without a recital of a particular thickness, in combination with a table of contents, and a track pitch in a range between 0.646 μm and 1.05 μm as recited in allowed Claims 65-66. A second error upon which the reissue application is based is that original Claims 1-64 failed to cover more or less than the inventor had a right to claim in the patent, and new Claims 65-66 address the first error and new Claims 65-72 address both errors.

In the view of the filing of a Reissue Application Declaration, that identifies the particular issues on which the reissue is based, Applicants respectfully request that the present reissue application be allowed. An action to that effect is earnestly solicited.

Respectfully submitted,

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